



21 MAR 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

KENYON & KENYON
ONE BROADWAY
NEW YORK, NY 10004

In re Application of	:	
KLEIN, Eberhard et al.	:	
Application No.: 10/502,430	:	NOTIFICATION
PCT No.: PCT/DE02/03408	:	
Int. Filing Date: 12 September 2002	:	OF A
Priority Date: 22 January 2002	:	
Attorney's Docket No.: 10191/3445	:	DEFECTIVE RESPONSE
For: METHOD AND DEVICE ... INTERNAL	:	
COMBUSTION ENGINE	:	

This notification is in response to applicants' "Submission of Declaration and Power of Attorney," filed on 05 January 2005.

BACKGROUND

On 12 September 2002, applicants filed international application PCT/DE02/03408, which claimed a priority date of 22 January 2002. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 31 July 2003. The deadline for entry into the national stage in the United States was 22 July 2004.

On 22 July 2004, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee and a translation of the application.

On 16 November 2004, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905) noting, *inter alia*, that the text in the drawings was not properly translated and that an oath or declaration of the inventors and a translation of the application into English were required.

On 05 January 2005, applicants submitted the instant Response.

DISCUSSION

The text of Figure 4 is not properly translated. Additionally, applicants should verify that all foreign language text in the drawings has been translated. The processing fee for late filing of the translation will be charged to deposit account 11-0600, as authorized.

CONCLUSION

For the above reasons, the translation does not comply with 35 U.S.C. §371(c)(2).

Applicants are required to submit a translation in compliance with 35 U.S.C. §371(c)(2) within a time limit of **ONE (1) MONTH** from the mail date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements (Form PCT/DO/EO/905), whichever is longer. No extension of this time limit may be granted under 37 CFR 1.136(a), but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of five months. **FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.** Any request for reconsideration of this decision should include a cover letter entitled "Response to Notification of Defective Response."

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Erin M. Pender
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292
Facsimile: 571-273-0459